

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:08CR3148
)	
V.)	
)	
ANGEL M. KOSKI,)	MEMORANDUM
)	AND ORDER
)	
Defendant.)	

I am in receipt of a forensic report from the Federal Medical Center, Carswell. Among other things, it concludes that Ms. Koski is competent. However, the United States Marshal's Service advises that since Ms. Koski is 28 weeks pregnant, it would be inadvisable to transport the defendant until she gives birth to her child. Therefore,

IT IS ORDERED that:

(1) The Clerk shall file the attached report under seal and provide copies to counsel.

(2) A competency hearing to be followed by a review of the pending petition (filing 106) and a discussion regarding progression shall be held on Thursday, August 27, 2009, at 12:00 noon, before the undersigned United States district judge.

(3) The United States Marshal's Service shall advise the undersigned if the foregoing date becomes a problem. Otherwise, the United States Marshal's Service shall transport the defendant at a time convenient to the Marshal's Service and in time for the hearing set forth above.

(4) On the court's own motion, the time between today's date and the hearing is excluded for purposes of computation under the Speedy Trial Act because the defendant's pregnancy and her custodial status precludes a more rapid resolution of the competency question and the pending petition. 18 U.S.C. § 3161(h)(1)(A) & (h)(7)(A)&(B).

DATED this 23rd day of April, 2009.

BY THE COURT:

S/Richard G. Kopf
United States District Judge